

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CREIGHTON TAKATA, Individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC, *et al.*,
Defendants.

Civil No. 3:18-CV-02293(GC)(RLS)

MOTION DATE: October 17, 2022

ORAL ARGUMENT REQUESTED

**NOTICE OF RIOT BLOCKCHAIN, INC.'S MOTION TO DISMISS THE
CONSOLIDATED THIRD AMENDED CLASS ACTION COMPLAINT
FOR VIOLATION OF THE FEDERAL SECURITIES LAWS**

THOMAS A. ZACCARO
thomaszaccaro@paulhastings.com
D. SCOTT CARLTON
scottcarlton@paulhastings.com
PAUL HASTINGS LLP
515 South Flower Street, 25th Floor
Los Angeles, California 90071-2228
Telephone: 1(213) 683-6000
Facsimile: 1(213) 627-0705

CHAD J. PETERMAN
chadpeterman@paulhastings.com
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Telephone: 1(212) 318-6000
Facsimile: 1(212) 319-4090

Attorneys for Defendants
RIOT BLOCKCHAIN, INC., JOHN O'ROURKE, AND MICHAEL BEEGHLEY

PLEASE TAKE NOTICE that on October 17, 2022, or at such other date as may be set by the Court, Defendant Riot Blockchain, Inc. (“Riot” or the “Company”), by and through its undersigned attorneys, will move the Honorable Georgette Castner, United States District Judge, Clarkson S. Fisher Building & Courthouse, 402 East State Street Room 4E, Trenton, New Jersey 08608, for an Order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b) (the “Reform Act”), dismissing with prejudice Lead Plaintiff Dr. Stanley Golovac’s (“Lead Plaintiff”) Consolidated Third Amended Class Action Complaint for Violations of the Federal Securities Law (“Third Amended Complaint” or “TAC”).

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely on this Notice of Motion, the accompanying Memorandum of Law, the accompanying Request for Judicial Notice, the accompanying Declaration of Daniel Scott Carlton, and on such other written and oral argument as may be presented to the Court as well as all pleadings and proceedings had to date herein.

PLEASE TAKE FURTHER NOTICE that a proposed Order is submitted herewith.

DATED: July 18, 2022

PAUL HASTINGS LLP

By: /s/ Chad J. Peterman

CHAD J. PETERMAN

chadpeterman@paulhastings.com
200 Park Avenue
New York, NY 10166
Telephone: 1(212) 318-6000
Facsimile: 1(212) 319-4090

THOMAS A. ZACCARO
thomaszaccaro@paulhastings.com
D. SCOTT CARLTON
scottcarlton@paulhastings.com
515 South Flower Street
Twenty-Fifth Floor
Los Angeles, CA 90071
Telephone: 1(213) 683-6000
Facsimile: 1(213) 627-0705

Attorneys for Defendants
RIOT BLOCKCHAIN, INC., JOHN
O'ROURKE, AND MICHAEL
BEEGHLEY